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Renee' Michelle Larson
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 373US-C2 First Named Inventor: Owen Jones
Anticipated Classification of This Application: Class 381 Subclass 72
Prior Application Examiner MEI, Xu Art Unit 2747

ASSISTANT COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D. C. 20231

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a
[X] continuation
[] divisional application under 37 CFR 1.53(b) of pending prior application serial no. 08/968,873 filed on November 5, 1997 entitled VARIABLE GAIN ACTIVE NOISE CANCELING SYSTEM WITH IMPROVED RESIDUAL NOISE SENSING.

- Enclosed is a copy of the latest inventor-signed prior application, including a copy of the executed oath or declaration showing the original signature or an indication it was signed.
- [] This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2) and 1.33(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
- The fees to be charged as calculated below are to be based on the number of claims remaining as a result of the:
[] cancellation in this application of original claims _____ of the prior application (at least one original independent claim must be retained for filing purposes).
[X] attached preliminary amendment.

	CLAIMS	# EXTRA	RATE	FEE
TOTAL	3- 20	0	x \$22	0
INDEPENDENT	2- 3	0	x \$82	0

Adjustment date: <u>06/22/2000</u> DELOYD	CLAIMS PRESENTED	\$270	0
03/11/1999 SLHNG1 00000070 141170 08968873	BASIS FEE		\$760
01 FC:131	TOTAL	\$	\$760

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Processing Fee (67)

03/11/1999 SLHNG1 00000070 141170 08968873

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4. The Commissioner is hereby authorized to deduct the above total and the following fees to Deposit Account No. 14-1170.

a. ☒ Fees required under 37 C.F.R. §1.16.

b. ☒ Fees required under 37 C.F.R. §1.17.

c. ☒ Fees required under 37 C.F.R. §1.18.

d. ☒ The Commissioner is authorized to deduct any underpayment from or credit any overpayment to Deposit Account No. 14-1170.

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5. ☐ A check in the amount of \$ _____ is enclosed.

6. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation, ☐ division of application number 08/968,873, filed November 5, 1997, (application status etc.), which is hereby incorporated by reference."

7. ☐ The drawings as filed in the prior pending application are enclosed (_____ sheets).

8. ☒ New formal drawings are enclosed (twenty-five (25) sheets).

9. ☒ An Information Disclosure Statement is enclosed.

10. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.

11. ☐ The certified copy has been filed in prior application number _____ / _____, filed _____.

12. ☒ The prior application is assigned of record to Noise Cancellation Technologies, Inc., 1025 West Nursery Road, Linthicum, Maryland 21090.

13. ☐ A new power of attorney or authorization of agent is enclosed.

14. ☐ Also enclosed:

15. Please date stamp and return the enclosed receipt post card.

16. The correspondence address is:

Ms. Carla Eatwell
NCT Group, Inc.
1025 West Nursery Road
Linthicum, Maryland 21090

Respectfully requested



Renee' Michelle Larson
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301-210-5635
Dated: March 8, 1999

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